

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

FILED  
IN CLERKS OFFICE  
2005 FEB 15 P 12:27

JUDITH FONSECA

v.

C.A. NO: 04-11870-JLA

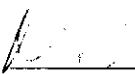
U.S. DISTRICT COURT  
DISTRICT OF MASS

BROOKS PHARMACY, INC. and  
MC WOONSOCKET, INC.

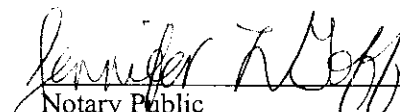
AFFIDAVIT OF ATTORNEY'S FEES

I, Michael R. De Luca, being duly sworn, make affidavit and depose and say as follows:

1. I am an attorney at law duly authorized and licensed to practice law in Massachusetts and Rhode Island. I am admitted to practice before the Federal District Courts in Massachusetts and Rhode Island, the Court of Appeals for the First Circuit, and the United States Supreme Court.
2. I have practiced law for seventeen (17) years and have handled civil matters before the Courts of the Commonwealth of Massachusetts and the State of Rhode Island, both state and federal, for the entire seventeen (17) years from 1987 to present.
3. My customary and usual fee as a litigation/trial attorney in matters similar to the case at bar is \$130.00 per hour.
4. Attached hereto as **Exhibit A** is a complete itemization of the time expended to prepare for and attend the initial scheduling conference held on February 10, 2005 at 10:15 a.m.
5. All of the above is true and correct to the best of my knowledge, information, and belief.

  
Michael R. De Luca, BBO #639509  
Gidley, Sarli & Marusak, LLP  
One Turks Head Place, Suite 900  
Providence, RI 02903  
(401) 274-6644  
(401) 331-9304 (fax)

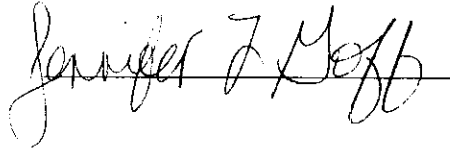
Subscribed and sworn to before me on this 14th day of February, 2005.

  
Notary Public  
My Commission Expires: 7/22/06

**CERTIFICATION**

John M. Sahady, Esq.  
Sahady Associates, PC  
399 North Main Street  
Fall River, MA 02720

I hereby certify that a true copy of the within was served by mail upon counsel of record, as above, on the 14th day of February, 2005.

A handwritten signature in black ink, appearing to read "Jennifer Z. Meff", written over a horizontal line.

**Gidley, Sarli & Marusak, LLP**

One Turks Head Place  
Suite 900  
Providence, RI 02903  
Fed ID 05-0413772

February 14, 2005

Debbie Fuller-Vincze  
Travelers Property and Casualty  
PO Box 111  
Middleboro, MA

Invoice# 8832 MRD  
Our file# 00310 06643  
Billing through 02/10/2005

Judith Fonseca v. Brooks Pharmacy, Inc., et al.  
Claim No: ACM6689

PROFESSIONAL SERVICES

02/10/2005	MRD	Review file and prepare for initial scheduling conference (.3)	5.80 hrs.	754.00
		Attend initial scheduling conference (4.5)		
		Draft Motion for Attorney's fees and Affidavit of Attorney's fees (.7)		
		Receipt and review electronic order entered by court re same (.1)		
		Letter to Jones-Philip and Debbie Fuller Vincze re same (.2)		
				<hr/> \$754.00

EXPENSES

02/10/2005	Mileage		39.60
			<hr/> \$39.60

	<u>HRS</u>	<u>RATE</u>	
MRD	5.80	\$130.00	\$754.00

Billing Summary

Total professional services	\$754.00
Total expenses incurred	\$39.60
Total of new charges for this invoice	<hr/> \$793.60
<b>Total balance now due</b>	<hr/> <b>\$793.60</b> <hr/>

